

REMARKS/ARGUMENTS

Claims 1-37, 39-66, 179-184 and 186-187 are pending. Claims 38, 67-178 and 185 were previously canceled.

It is noted that the rejections to the pending claims appear to be a copy of rejections presented in the Office Action mailed August 24, 2004. A response to the rejections in that Office Action was subsequently mailed on November 24, 2004, including arguments traversing the pending rejections. However, nowhere in the present Office Action (mailed July 25, 2005) is there any indication that the Examiner reviewed or considered our prior response arguments. Again, the current rejections are an apparent repeat of the prior rejections, without addressing our prior arguments, presented below. Indeed, the current rejections include mention of claims canceled subsequent to our first response. It is therefore respectfully requested that the Examiner address these arguments if a Notice of Allowance is not issued.

Claims 1-10, 15-16, 21-28, 32-39, 41-49, 61-66, 179-181 and 183-187 are rejected under 35 U.S.C. §102(e) as being anticipated by U.S. Patent No. 6,507,353 to Huard *et al.* (hereinafter "Huard").

Claim 182 is rejected under 35 U.S.C. §103(a) as being unpatentable over Huard.

Claims 11-14, 17-20, 29-31, 40, 50-60 and are rejected under 35 U.S.C. §103(a) as being unpatentable over Huard and U.S. Patent No. 6,396,509 to Cheng.

It is respectfully requested that these rejections be withdrawn for at least the following reasons.

It is respectfully submitted that Huard fails to teach or suggest limitations as recited in all independent claims, namely claims 1, 39 & 40. For example, Huard fails to teach or suggest the limitations of "story experiences" as recited in the claims as well as managing story experiences to a "narrative conclusion" as is recited in the claims. These points will be discussed below, beginning with a discussion of Huard, and in particular the differences between "story" as interpreted by the Examiner in reviewing Huard and the definition as used in the present invention.

In the Office Action, several definitions of story are used when discussing the Huard patent. These definitions are inconsistent with each other and with the definition utilized in the present application. In any event, rereading Huard with its definition of story makes it clear that Huard neither teaches nor describes the software applications and methods for producing and presenting interactive stories as is presently claimed.

Turning now to the interpretation of story in the Office Action, on Page 3 of the Office Action, the language “dynamic customized story experiences” is equated with “actor actions in environment”, and on page 7, “story opportunity” is equated with “actor actions in an environment.” However, according to Huard, such actor actions are never discussed in the context of narrative structure. Generally speaking, while an actor’s actions—what an actor does on stage or on camera—are often defined by a specific script which has a story arc or are improvisations that culminate in a story, it is trivial to imagine actions which comprise only nonsensical, unrelated acts where no story arc is portrayed, as in Huard. There is no inherent reason that an actor’s unguided actions should constitute a story; rather, an author’s script and the human actor’s innate storytelling ability drive the event selection and presentation that transform “actions” into “stories.” Huard offers no method to confer such event selection and presentation capabilities on its “actors” (e.g., fish). Further, any “actor actions” in Huard are not described as representing the opportunity to begin a temporally structured interaction such as the interactive stories in the present invention. Again, on page 6 of the Office Action, “story opportunities” is equated with a “virtual environment database,” which is inconsistent both with the usage on page 7 and with the claimed usage of “story opportunities” (e.g., claim 38) as the beginning of a potential story.

Similarly, on pages 3 and 6 of the Office Action, the language “story experiences” as recited in the claims is equated with “actor behaviors,” despite the absence of a teaching in Huard for combining actor behaviors into a coherent, structured story. Again, there is no teaching or suggestion for arbitrary actor behaviors constituting a story.

On pages 5 and 6 of the Office Action, “second visitors experience” is equated with “story,” implying that any experience in the environment constitutes a well-formed story. It is well known by those skilled in the art of story-telling that the artful selection and presentation

of events from a particular experience is required to transform the raw material of experience into a story.

On page 8 of the Office Action, “story” is equated with “scene of animal interaction,” without noting that the term “scene” is used throughout Huard in the meaning of tableau, rather than the narrative structure known as a “scene” of a play or movie. Again, raw interaction, experience, or observation is interpreted as a story, which is inconsistent with use of the term as claimed. Such interpretation is used later to equate “different stories” with “a first story with a beluga and then another animal” and “story experiences” with “experiences of more than one animal/actor,” both on page 10, and “previous active story” with “previous wildlife experience” on page 11. None of these interactions constitute a story or story experiences as claimed.

Also on page 10, in the same paragraph equating story experiences with experiences of more than one actor, the language “more than one story experience” is equated with “more than one actor observance”, which one can only interpret to refer to the user observing more than one actor as experiencing more than one story; thus each actor is an independent story. Indeed, if Huard’s stimulus-response mechanisms constituted a story, this might merit consideration. However, as the actors in Huard themselves are driven by simulation and not towards the advancement of any specific story, the simple presentation of multiple agents cannot constitute multiple story experiences. In fact, the present invention describes, and claims, methods where multiple actors can participate in a single story and a single actor might participate in multiple stories. Neither of these situations are consistent with the interpretation of “story” as applied to Huard.

On page 11, the language “grammar that controls its behavior” is equated with “story.” However, in Huard, grammars are used to simulate realistic wildlife behavior, such as intra-species communication of beluga whales, and not the creation of a structured story experience for the user of the interactive system. This focus on characterizing a consistent set of behavior for the actor—the heart of Huard’s modeling—is independent of the creation of a story experience as taught in the present invention.

On page 13, “larger narrative arc” is repeatedly equated with “outer decision layers” and the “Virtual World,” both of which are inconsistent with narrative arc as used in the present invention. Huard’s outer decision layers represent higher level inputs, behavioral models, and actuators that simulate a rich reaction to complex stimuli, based on models of real animals; this is a stimulus-reaction model. None of Huard’s decision layers refer to the requirements of a well-formed story. Instead, each layer addresses different conceptual elements in a sophisticated model of the animal represented by the actor, e.g., a beluga whale. Further, the use of the Virtual World as a larger narrative arc is entirely inconsistent with the use of both terms in the present invention. The virtual world is the simulated environment in which the user interacts with computer-generated representations of objects, characters, and places. A larger narrative arc is a series of stories that taken together present a meaningful narrative transition in the life or world of the stories’ characters. A virtual world is simply the stage upon which such stories play out. Any such world could have many larger narrative arcs. In the case of Huard, the virtual world has no narrative arcs.

Also on page 13, the language “narrative form” is equated with “behavior and biophysical modules.” This usage highlights the difference in use between the present invention and Huard, as discussed in the Office Action. The role of the narrative form in the present invention is to provide the system with guidelines for the selection of story events and their presentation in time - to guide the plots of the stories, creating a story experience for the player. Huard’s behavior and biophysical models do not perform any corresponding function. They define guidelines for fish behavior. They do *not* teach any method for selection and presentation of plot events, nor do they provide any guidelines for organizing actor behaviors into a structured plot.

Thus, each of these usages of “story” present a different interpretation of that term. The Office Action variously equates story with *any* set of actor actions, *any* visitor experience, or *any* set of events or objects in a virtual world. This view is not consistent with the substance of the present invention, and in particular the claims.

Not just any sequence of events in a real or simulated environment constitutes a story. A true story is the presentation of a sequence of events *selected to create the experience of*

a narrative arc in the mind of the user/viewer/reader/listener. That story arc must have a beginning, a middle, and an end, proceeding from an initial action through to its necessary conclusion. The claims illustrate this idea, for example, by reciting limitations such as “managing each of said multiple story experiences” from “possible story opportunities” to “its own narrative conclusion.”

In each of the independent claims, each story experience is managed to a *narrative* conclusion. Specifically, claim 1 recites “...managing each of said multiple story experiences each of which reaches its own narrative conclusion...” This narrative conclusion is the “end” of “beginning, middle and end.” It is the closure of the presentation—which *must* occur for a story to be complete.

Huard neither teaches nor suggests any method of telling stories that meet this definition of reaching a narrative conclusion. Huard teaches no method for selecting events based on narrative effect (as opposed to simulated physical accuracy), or for structuring events into a story arc that reaches a narrative conclusion. Rather, Huard focuses on simulations that recreate the realistic behavior of animals in response to certain stimuli. These simulations are emphatically **not** a “story.”

Accordingly, it is respectfully asserted that all independent claims are allowable over Huard for at least the above reasons. In addition, all claims depending therefrom are similarly allowable based at least on their dependency. Further, the remaining cited references fail to remedy the defects of Huard as discussed above.

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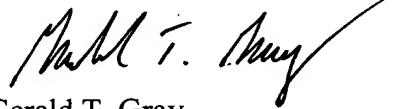
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CONCLUSION

In view of the foregoing, Applicants believe all claims now pending in this Application are in condition for allowance. The issuance of a formal Notice of Allowance at an early date is respectfully requested.

If the Examiner believes a telephone conference would expedite prosecution of this application, please telephone the undersigned at 925-472-5000.

Respectfully submitted,



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